



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02.08.2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.3577 of 2021

Velraj ... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Thallakulam All Women Police Station,
Madurai District.
In Crime No.14 of 2021

... Respondent/Complainant

For Petitioner : M/S.A.BANUMATHY

For Respondent : Mr.T.SENTHIL KUMAR

Government Advocate(Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime no.14 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 498(A) of IPC and Section 67 of Information Technology Act, 2000 in Crime No.14 of 2021, seeks anticipatory bail.

2.The learned counsel for the petitioner submits that the petitioner is visually challenged person. The petitioner married the defacto complainant on 06.09.2018 and out of wedlock, they are having a child. Due to some misunderstanding, they are living separately from the year 2017 and this complaint was lodged by the defacto complainant on 19.12.2018 for dowry harassment. Apart from this complaint, it is reported that this petitioner has filed a petition seeking restitution of conjugal rights in HMOP.No.195 of 2020 and the defacto complainant has filed an application for maintenance in MC.No.2 of 2020. This Court by order dated 08.03.2021, referred the matter for Mediation. Till now, Mediation was not effected. The leaned counsel for the petitioner would



submit that though Mediation was not conducted, the petitioner appeared before the Mediation Centre twice and the defacto complainant failed to appear for Mediation.

3. Heard the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Considering the nature of offence and that this petitioner is a visually impaired person working in Collectorate, this Court is inclined to grant Anticipatory Bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Additional Mahila Court, Madurai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioner shall report before respondent police daily at 10.30 am., until further orders.

[c]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

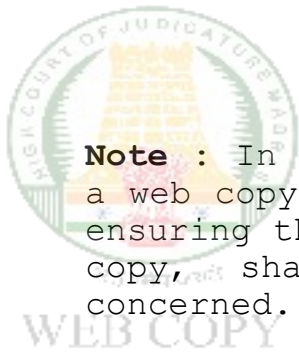
sd/-

02/08/2021

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE ADDITIONAL MAHILA COURT,
MADURAI.
- 2.THE INSPECTOR OF POLICE,
THALLAKULAM ALL WOMEN POLICE STATION,
MADURAI DISTRICT.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.3577 of 2021
Date :02/08/2021

SA/JM/SAR.4/05.08.2021/3P/4C